

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 MICHAEL KNAPP,

8 Defendant.  
9

Case No. 2:14-cr-00099-APG-PAL

**ORDER TEMPORARILY STAYING  
CASE**

(ECF No. 117)

10 On June 27, 2016, the Supreme Court granted certiorari in *Beckles v. United States*, Case  
11 Number 15-8544, to decide, in relevant part, whether the holding in *Johnson v. United States*, 135  
12 S. Ct. 2551 (2015) applies to the residual clause of the career offender guideline in United States  
13 Sentencing Guidelines (“U.S.S.G.”) § 4B1.2(a)(2), and if so, whether *Johnson’s* invalidation of  
14 the residual clause applies retroactively on collateral review. On November 28, 2016, the  
15 Supreme Court heard oral argument in *Beckles* and the case was submitted for review. Given this  
16 development and *Beckles’s* direct relevance to the pending motion in this case, and given  
17 defendant Knapp’s unopposed motion to stay (ECF No. 117), I will stay all proceedings in this  
18 case pending the Supreme Court’s decision in *Beckles*.

19 IT IS THEREFORE ORDERED defendant Michael Knapp’s motion for joinder staying  
20 case (ECF No. 117) is **GRANTED**.

21 IT IS FURTHER ORDERED that this case is **STAYED** until the Supreme Court issues a  
22 decision in *Beckles v. United States*, Case Number 15-8544. Once the decision issues, any party  
23 may move to lift the stay.

24 DATED this 28th day of February, 2017.

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26   
27 ANDREW P. GORDON  
28 UNITED STATES DISTRICT JUDGE